

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

NO. 3:23-CV-30016

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Ivan Laguna and Margarita

Lopez,

Plaintiffs,

v.

Lazer Safe, Pty., Ltd., Fiessler

Elektronik GmbH & Co., KG., Ermak

USA, Inc., Ermaksan Turkey, aka

Ermaksan Makina Sanayi Ve Ticaret

A.S., and John Doe Distributor,

VOLUME 1

Defendants.

PAGES 1 - 47

- - - - - x

AUDIOVISUAL DEPOSITION TAKEN VIA ZOOM OF

SENOL RODOPLU

Tuesday, October 29, 2024 at 10:05 a.m.

Reporter: Lori-Ann London, RPR, Mass. CSR #153020

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(All parties present from their respective  
locations via Zoom videoconferencing)

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23 David Woodford, Legal Video Specialist

1 Griswold University in Chicago, with -- with  
2 emphasis on management, concentrations on  
3 management degree.

4 Q Okay. And for the purposes of today's  
5 deposition, I'm referring to Ermak USA, but I'll  
6 also be asking you questions about Ermaksan in  
7 Turkey. Ermaksan Turkey, what is their -- what is  
8 your understanding of their relationship to  
9 Ermak USA?

10 A Ermak USA sells products made by Ermaksan  
11 Turkey and services them, provide service and spare  
12 parts for Ermaksan products.

13 Q And does -- okay. And do you hold any  
14 position with Ermaksan Turkey?

15 A I -- I was sent to this position -- I was  
16 promoted to this position by Ermaksan ownership.

17 Q When did you work at Ermaksan Turkey?

18 A I started working for Ermaksan back in  
19 November 2011, and I was promoted to -- promoted to  
20 my current position, as I said, March 2013.

21 Q And we're here today to talk about a  
22 press brake machine that was involved in an  
23 accident but was located in Holyoke, Massachusetts,  
24 with a company called International Container

1 Company. Are you familiar with that company?

2 A Yes, I am familiar with that company.

3 Q Does -- as far as your job as vice  
4 president of sales, could you describe for us what  
5 your job duties are, just generally?

6 A Yes. I am the -- I am responsible of,  
7 you know, our main corporations of, you know, our  
8 Ermak USA here, overseeing all operations of Ermak,  
9 Ermak USA, and also, you know, obviously selling  
10 equipment throughout the country.

11 Q And as far as the -- the -- the sales  
12 of -- that go through Ermak USA, do you sell press  
13 brake machines?

14 A Yes, we do sell press brake machines.

15 Q And are the -- are the machines  
16 manufactured in -- in -- outside of the United  
17 States?

18 A Correct.

19 Q Are they -- are they all manufactured --  
20 the ones that you sell, are the Ermaksan press  
21 brake machines manufactured in Bursa, Turkey?

22 A That is correct, yes.

23 Q As far as sales, do you also provide  
24 training and installation of the machines?

1 A Yes, we do.

2 Q Do you have staff at Ermak USA that does  
3 training and installation?

4 A Yes, we do have our own staff, provide  
5 installation training.

6 Q What department would those -- would  
7 cover those functions?

8 A Technical service department.

9 Q And at -- does Ermaksan Turkey also have  
10 technicians or service experts?

11 A Yes, they also do have technical service  
12 team at Ermaksan.

13 Q And are they ever involved -- oh. I'm  
14 sorry.

15 A Yes, they do have, at Ermaksan Turkey,  
16 their own technical service team as well.

17 Q And I apologize for talking over you, but  
18 unlike normal conversation, I think we both have to  
19 wait until we get our -- our questions and answers  
20 out, but I'll work on that.

21 For Ermaksan Turkey technicians, do  
22 -- do they come to the United States to assist when  
23 there's -- if there's a situation that needs repair  
24 or attention?

1           A     Whenever I need extra help with my  
2 customer, yes, I do ask them for support, and based  
3 on my inquiry, they do come here to support my  
4 customers.

5           Q     And as far as the sales of Ermak USA, are  
6 they across -- do they include Massachusetts as a  
7 place where sales are conducted?

8           A     Yes, we do sell in state of Massachusetts  
9 as well as Ermak USA.

10          Q     And do you -- does Ermak USA use social  
11 media or the Internet to market or sell its  
12 products?

13          A     Yes, we do use social media.

14          Q     Are you involved in the Ermak USA or the  
15 Ermaksan Turkey website?

16          A     What -- what exactly do you mean by  
17 "involved"?

18          Q     I mean are sales conducted over the  
19 website for Ermak USA? And then I'll ask also for  
20 Ermaksan Turkey.

21          A     We -- we -- we don't have sales. We  
22 don't -- we don't have sales that's going through  
23 website. We don't sell through website.

24          Q     Do you -- does Ermak USA operate a

1 website?

2 A Yes, Ermak USA has a website, yes.

3 Q And is it linked to the Ermaksan Turkey  
4 website?

5 A That technicality, I do not know  
6 technicality side of it, if it's linked or not.

7 Q Who would know -- who would be in charge  
8 of the website for Ermak USA?

9 A It will be -- it will be Ermaksan IT  
10 department.

11 Q And does that -- do you know, does that  
12 website also provide for training for -- over the  
13 Internet for users or purchasers of Ermak press  
14 brake machines?

15 A I would not know for sure, but I don't  
16 think you can find any training information through  
17 website.

18 Q But as far as your -- your own person --  
19 your work, to what degree are you involved in  
20 utilizing the website for your job duties?

21 A Basically, whenever I visit my customers  
22 on sales calls, I --

23 THE WITNESS: Excuse me. My ID is  
24 here, so I wanted to present my ID, since you guys



1 information so we can -- so we would know what type  
2 of equipment we are working with so I can convey  
3 this information to our service department. In  
4 this email he is replying this is the machine  
5 information, serial number, et cetera, et cetera.

6 Q And was your understanding that there was  
7 a prob -- the machine was not able to function at  
8 this point?

9 A As can read from the email, there are  
10 error codes on the machine and it's not  
11 functionable.

12 Q Yeah. Mr. Searles, here, on this last  
13 sentence here, talks about that they've been  
14 inoperable for three weeks. Do you recall talking  
15 to him about that?

16 A Talking -- you mean over the phone or via  
17 email communicating?

18 Q Communicating in any manner.

19 A Yeah, all our communications were via  
20 email.

21 Q Okay. And did you -- when you say you  
22 spoke with technical, was that the technical  
23 department within Ermak USA or did you have to  
24 reach out to Ermaksan Turkey?

1           A     I had to reach out to Ermaksan Turkey  
2 technical service team.

3           Q     And then -- okay, let's look at -- I've  
4 got one more to show you, I think. Let's see.

5                     (Exhibit 4 marked for  
6 identification.)

7                     Exhibit No. 4 is...

8                     (Screen sharing.)

9           Q     Exhibit No. 4 is dated October 15, 2019,  
10 it looks like it's from you to Mr. Searles, Ken  
11 Searles?

12          A     Um-hm.

13          Q     And it's referring to a quotation for a  
14 light guard. Do you recall what type of light  
15 guard you were getting quotes for?

16          A     I do not recall in detail, but the  
17 information I was provided must have been based on  
18 his machine features in the -- in the information  
19 he provided in the previous email.

20          Q     Would there be any other records about  
21 the communication you had with -- regarding the  
22 light guard and the pricing?

23          A     It's all via email. We communicated via  
24 email.

1 Q And would you -- would you have  
2 communicated with Ermaksan Turkey about this?

3 A Again, via email. Any infor --  
4 discussing technical issues or topics, it -- it's  
5 way easier to provide misunderstanding and, again,  
6 there are serial numbers, [inaudible] features  
7 involved in such communications, that's why, even  
8 when we communicate among each other, we all refer  
9 [sic] to communicate via email to prevent any -- to  
10 have everything in written format so we -- we have  
11 the serial numbers, we have the correct exact  
12 information. That's why, again, with the customer  
13 or internally we always refer [sic] to communicate  
14 via email, especially for technical or specific  
15 topic like this.

16 Q And would there be someone at Ermak  
17 Turkey that would provide you with the quotations  
18 for the -- the costs?

19 A That is correct. All the information  
20 I'm -- I'm conveying here to -- to my customer, I  
21 receive the information from Ermaksan factory and  
22 then convey this to my customer.

23 Q And was this -- was this quotation, was  
24 it for -- for a Lazer Safe light guard?

1 A Can -- can you zoom in a little bit more?

2 'Cause I'm trying to see this --

3 Q Yeah.

4 A -- from my phone and...

5 (Zooming in on document.)

6 A Yes. Let me see. Yes, this -- this --

7 this is good now, yes.

8 (Witness perusing document.)

9 A Yes. What is your question about this  
10 email here?

11 Q Would this have been -- the light guard  
12 that's compatible, would that be the Lazer Safe  
13 guard?

14 A Yes, that -- that would be -- that would  
15 be it, yes.

16 Q And as far as installation of the guard  
17 that -- that was to be sold, who would provide the  
18 installation?

19 A Usually, we recommend to do installation  
20 of such delicate components. Regardless of the  
21 nature of the components, whether it's a safety or  
22 the switch or anything on the machine, whenever we  
23 got inquiry from customer for spare part, we always  
24 recommend them to do the install of the spare part